**IN THE CLAIMS:**

1. (Original) A recording medium having recorded thereon a digital stream and marker information, the marker information specifying a predetermined position in the digital stream, wherein

the marker information includes attribute information relating to the predetermined position, and

the attribute information indicates whether a playback device should refer to or ignore the predetermined position when a user operation intended to choose the predetermined position as a playback start position is received.

2. (Original) The recording medium of Claim 1, wherein

playback path information is recorded on the recording medium,

the playback path information represents a playback path by arranging therein one or more pairs of indications, each pair indicating a playback start position and a playback end position in the digital stream, and specifying a playback section included in the playback path, and

the predetermined position is represented by an identifier of the playback section and time information relating to the digital stream corresponding to the playback section.

3. (Original) The recording medium of Claim 1, wherein

in a case where the attribute information indicates that the playback device should ignore the predetermined position, the predetermined position is a branch target position targeted by a branching command recorded on the recording medium.

4. (Original) The recording medium of Claim 3, wherein

the digital stream is multiplexed with a video stream, an audio stream, and a graphics stream,

the graphics stream includes graphics data constituting a graphical button, and state control information defining a state transition of the graphics data, and

the branching command is included in the state control information and executed when the graphical button is activated.

5. (Original) The recording medium of Claim 1, wherein

the user operation is (i) a skip operation for choosing an adjacent position of a current playback position or (ii) a chapter search operation for choosing a chapter.

6. (Original) A playback device, comprising:

a reading unit operable to read, one by one, each section of a digital stream recorded on a recording medium;

a playback unit operable to play the read section; and

a control unit operable to control the reading unit to perform a cue-up operation,

the recording medium has one or more pieces of marker information recorded thereon, each indicating a predetermined position in the digital stream and including attribute information relating to the predetermined position, and

when a user operation intended to choose a playback start position is received, the control unit performs the cue-up operation by ignoring a position having a first attribute and

referring to a position having a second attribute, the first and second attributes being indicated by the marker information.

7. (Original) The playback device of Claim 6, wherein

playback path information is recorded on the recording medium,

the playback path information represents a playback path by arranging therein one or more pairs of indications, each pair indicating a playback start position and a playback end position in the digital stream, and specifying a playback section included in the playback path,

each piece of marker information includes an identifier and time information relating to a playback section, and

the reference by the control unit at a time of the cue-up operation is performed with use of the time information, targeting the digital stream in which the playback section corresponding to the identifier is defined.

8. (Original) The playback device of Claim 6, wherein,

the cue-up operation by the control unit includes a cue-up by the user operation and a cue-up by a branching command, and

at a time of the cue-up by the branching command, the control unit refers the piece of marker information having the first attribute.

9. (Original) The playback device of Claim 8, wherein

the digital stream is multiplexed with a video stream, an audio stream, and a graphics stream,

the graphics stream includes graphics data constituting a graphical button and state control information defining a state transition of the graphics data,

the branching command is included in the state control information and executed when the graphical button is activated.

10. (Original) The playback device of Claim 6, wherein

the user operation is for inputting a chapter number that indicates a search target,

the reference by the control unit is for specifying, when a piece of marker information corresponding to the inputted chapter number has the second attribute, a position indicated by the piece of marker information as a playback start position,

the ignoring by the control unit is for specifying, when the piece of marker information corresponding to the inputted chapter number has the first attribute, a position indicated by a succeeding piece of marker information having the second attribute.

11. (Original) The playback device of Claim 6, wherein

the user operation is for inputting a skipping direction,

the reference by the control unit is for specifying, when a piece of marker information corresponding to an immediately preceding or immediately succeeding position of a current playback position has the second attribute, a position indicated by the piece of marker information as the playback start position, and

the ignoring by the control unit is for specifying, when the piece of marker information corresponding to the immediately preceding or immediately succeeding position has the first

attribute, a position indicated by a preceding or succeeding piece of marker information having the second attribute as the playback start position.

12. (Currently Amended) The playback device of Claim 10 ~~or Claim 11~~, wherein

playback path information is recorded on the recording medium,

the playback path information represents a playback path by arranging therein one or more pairs of indications, each pair indicating a playback start position and a playback end position in the digital stream, and specifying a playback section included in the playback path,

each piece of marker information includes an identifier and time information relating to a playback section, and

the reference by the control unit at a time of the cue-up operation is performed with use of the time information, targeting the digital stream in which the playback section corresponding to the identifier is defined.

13. (Original) A recording method for a recording medium, comprising:

a step of creating application data;

a step of recording the created application data on the recording medium, wherein

the application data includes a digital stream and marker information specifying a predetermined position in the digital stream,

the marker information includes attribute information relating to the predetermined position,

the attribute information indicates whether a playback device should refer to or ignore the predetermined position when a user operation intended to choose a playback start position is received.

14. (Original) A computer program for having computer play a recording medium, comprising:

a reading step of reading, one by one, each section of a digital stream recorded on a recording medium;

a playback step of playing the read section; and

a control step of controlling the reading step to perform a cue-up operation, wherein

the recording medium has one or more pieces of marker information recorded thereon, each indicating a position in the digital stream and including attribute information relating to the position, and

when a user operation intended to choose a playback start position is received, the control step performs the cue-up operation by ignoring a position having a first attribute and referring to a position having a second attribute, the first and second attributes being indicated by the marker information.

15. (Original) A playback method relating to a recording medium, comprising:

a reading step of reading, one by one, each section of a digital stream recorded on a recording medium;

a playback step of playing the read section; and

a control step of controlling the reading step to perform a cue-up operation, wherein

the recording medium has one or more pieces of marker information recorded thereon, each indicating a position in the digital stream and including attribute information relating to the position, and

when a user operation intended to choose a playback start position is received, the control step performs the cue-up operation by ignoring a position having a first attribute and referring to a position having a second attribute, the first and second attributes being indicated by the marker information.

16. (New) The playback device of Claim 11, wherein

playback path information is recorded on the recording medium,

the playback path information represents a playback path by arranging therein one or more pairs of indications, each pair indicating a playback start position and a playback end position in the digital stream, and specifying a playback section included in the playback path,

each piece of marker information includes an identifier and time information relating to a playback section, and

the reference by the control unit at a time of the cue-up operation is performed with use of the time information, targeting the digital stream in which the playback section corresponding to the identifier is defined.